IN THE HIGH COURT OF JUDICATURE AT PATNA
CR.MISC. NO.43078 OF 2008
PITAMBAR RAI, SON OF LATE SONA RAI, RESIDENT OF VILLAGE MANPUR, P.O. DIGHWARA, POLICE STATION DARIYAPUR, DISTRICT SARAN
VERSUS
STATE OF BIHAR
****

2 27.11.2008 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks bail in a case which has been registered under Sections 307, 384, 379 of the Indian Penal Code.

The case was registered on 11.09.2007. Later on, in the First Information Report, by order dated 04.10.2007 Section 302 of the Indian Penal Code has been added.

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The informant in his written report has alleged that the accused persons demanded fish & Rs. 20,000/-. When it was protested, then Satyendra Rai tried to catch the informant who jumped inside the pond. Later on, he was attacked by the accused persons. The informant sustained injury and was referred to the Hospital.

Submission is that there is no specific attribution against the petitioner. The allegation is common against the petitioner and some other accused including Satyendra Rai, Pitambar Rai and Dharikshan Sahni. Dharikshan Sahni has been granted bail by this Court by order dated 03.07.2008 in Criminal Misc. No. 17169 of 2008. The

petitioner has no criminal history and he is in custody since 14.04.2008. The occurrence is of 08.09.2007 and the case has been registered on 11.0-9.2007. There is no explanation of the delay of three days

Considering the facts and circumstances of the case, the petitioner Pitambar Rai is directed to be released on bail in Dariyapur Police Station case No. 80 of 2007 on furnishing of bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saran at Chapra.

Anand (Shyam Kishore Sharma, J.)

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